

D.N.J. LBR 2014-1 EMPLOYMENT OF PROFESSIONALS

- (a) *General Requirements.* In addition to the requirements of Fed. R. Bankr. P. 2014, an application for an order approving employment of a professional person shall be served upon the debtor, the trustee, the secured creditors, the official committees, and parties requesting notice of all proceedings. Except to the extent that relief is otherwise governed by Fed. R. Bankr.P. 6003, any objection to such application shall be filed and served within 5 days of service of the application. A hearing may be conducted on the objection in the Court's discretion.
- (b) *Auctioneer Requirements.*
- (1) In addition to the requirements of Fed. R. Bankr. P. 2014, an application for employment of an auctioneer shall contain the following:
- (A) the applicant's qualifications and previous experience as an auctioneer;
- (B) a statement as to whether the auctioneer or its principals have ever been convicted of any criminal offense, other than motor vehicle violations;
- (C) a description of the property to be sold and the location.
- (2) The application shall be accompanied by a surety bond in favor of the United States of America in an amount at least equal to the anticipated sale proceeds or proof as to the existence of an adequate blanket bond. The surety bond shall be conditioned upon the faithful and prompt performance of the auctioneer's duties and the accounting for all monies and property which may come into the auctioneer's possession, control or custody and for compliance with rules, orders and judgments of the Court. The auctioneer shall certify that the bond is presently in effect, and will remain in effect through turnover of the auction proceeds.

1997 Comment: Subpart (a) is former Local Rule 6; subpart (b) (1) and (2) is former Local Rule 7(a) and (b).

2008 Comment: Subpart (a) is amended to conform with the requirements of Fed. R. Bankr.P. 6003 which limits the granting of certain forms of relief, including the employment of professional persons, during the first 20 days after commencement of a case, unless granting of relief is necessary to avoid immediate and irreparable harm.

Reference: 11 U.S.C. § 327 Employment of professional persons; 11 U.S.C. § 1103 (a) Powers and duties of committees; [D.N.J. LBR 2016-1, 6004-1, 6005-1](#).